

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

ORDER
09-CR-331A

MICHAEL HERNANDEZ,

Defendant.

The above-referenced case was referred to Magistrate Judge H. Kenneth Schroeder, Jr., pursuant to 28 U.S.C. § 636(b)(1)(B). On November 27, 2012, Magistrate Judge Schroeder filed a Report and Recommendation, recommending that defendant Michael Hernandez's motion to suppress be denied.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED that defendant Michael Hernandez's motion to suppress is denied.

The case is referred back to Magistrate Judge Schroeder for further proceedings.

SO ORDERED.

s / Richard J. Arcara

HONORABLE RICHARD J. ARCARA
UNITED STATES DISTRICT JUDGE

DATED: December 13, 2012